

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No.: 2:15-cr-00062-APG-DJA

Plaintiff

Order

V.

LOUIS MATTHEWS,

Defendant

I previously ordered defendant Louis Matthews' former counsel, Mace Yampolsky, to submit an affidavit responding to Matthews' allegations of ineffective assistance of counsel as set forth in his petition and reply brief. ECF No. 456. Yampolsky filed an affidavit that does not address all issues Matthews raised regarding his ineffective assistance claim. ECF No. 459.

12 Accordingly, I direct Yampolsky to address the following assertions in a supplemental affidavit:

13 1. That Matthews requested Yampolsky to ask for a multiple conspiracy instruction. *See*
14 ECF No. 438 at 11.

15 2. That Yampolsky failed to subpoena witnesses Patsy Thomas, who is Matthews' aunt;
16 Wet Thomas (unclear if that is the proper spelling), who is John Thomas's uncle; and Matthews'
17 boss at Tee's Auto Body (who Matthews does not identify by name). *See* ECF No. 454 at 8.

18|| 3. That Matthews wanted to testify but Yampolsky had no questions ready. *Id.*

¹⁹ 4. That Yampolsky never visited Matthews to discuss trial strategy. *Id.*

20 5. That Yampolsky never tried to negotiate a deal for Matthews. *Id.*

21 I THEREFORE ORDER counsel for the United States to provide Mace Yampolsky with
22 a copy of this order.

1 I FURTHER ORDER Mr. Yampolsky to file a supplemental affidavit responding to
2 Matthews' allegations listed above by April 19, 2023.

3 DATED this 28th day of March, 2023.

4 
5

6 ANDREW P. GORDON
7 UNITED STATES DISTRICT JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23